FACT SHEET FOR STATE WASTE DISCHARGE PERMIT ST 6025
nLIGHT CORPORATION

August 18, 2008

TABLE OF CONTENTS

INTRODUCTION 1

BACKGROUND INFORMATION 2
DESCRIPTION OF THE FACILITY 2
History 2
Industrial Processes 2

Additional Facility Information 3
Treatment Processes 4
PERMIT STATUS 5
SUMMARY OF COMPLIANCE WITH THE PREVIOUS PERMIT 5
WASTEWATER CHARACTERIZATION 5

PROPOSED PERMIT LIMITATIONS 8
TECHNOLOGY-BASED EFFLUENT LIMITATIONS 8
EFFLUENT LIMITATIONS BASED ON LOCAL LIMITS 9
COMPARISON OF LIMITATIONS WITH THE EXISTING PERMIT ISSUED DECEMBER 103, 2002 10

MONITORING REQUIREMENTS 14

OTHER PERMIT CONDITIONS 14
REPORTING AND RECORDKEEPING 14
OPERATIONS AND MAINTENANCE 14
PROHIBITED DISCHARGES 14
DILUTION PROHIBITED 14
GENERAL CONDITIONS 14

PUBLIC NOTIFICATION OF NONCOMPLIANCE 15

RECOMMENDATION FOR PERMIT ISSUANCE 15

REFERENCES FOR TEXT AND APPENDICES 15

Appendices 16
APPENDIX A—PUBLIC INVOLVEMENT INFORMATION 16
APPENDIX B—GLOSSARY 17
APPENDIX C—RESPONSE TO COMMENTS 21

INTRODUCTION

This fact sheet is a companion document to the draft State Waste Discharge Permit No. ST 6025. The Department of Ecology (Ecology) is proposing to issue this permit, which will allow discharge of wastewater to Clark County/Salmon Creek Publicly Owned Treatment Works (POTW) through the Clark Regional Wastewater District (CRWWD). This fact sheet explains the nature of the proposed discharge, Ecology's decisions on limiting the pollutants in the wastewater, and the regulatory and technical bases for those decisions.

Washington State law [Revised Code of Washington (RCW) 90.48.080 and 90.48.160] requires that a permit be issued before discharge of wastewater to waters of the state is allowed. This statute includes commercial or industrial discharges to sewerage systems operated by municipalities or public entities which discharge into public waters of the state. Regulations adopted by the state include procedures for issuing permits and establish requirements which are to be included in the permit [Chapter 173-216 Washington Administrative Code (WAC)].

This fact sheet and draft permit are available for review by interested persons as described in Appendix A—Public Involvement Information.

nLight Corporation has reviewed the fact sheet and draft permit. Errors and omissions identified in these reviews have been corrected before going to public notice. After the public comment period has closed, Ecology will summarize the substantive comments and the response to each comment. The summary and response to comments will become part of the file on the permit and parties submitting comments will receive a copy of Ecology's response. The fact sheet will not be revised. Changes to the permit will be addressed in Appendix C—Response to Comments.

GENERAL INFORMATION	
Applicant	Steve Norgaard
Facility Name and Address	nLIGHT Corporation 5408 Northeast 88th Street, Building E Vancouver, WA 98665
Type of Facility:	Semiconductors and Related Devices
Facility Discharge Location	Latitude: 45° 41' 17.45" N Longitude: 122° 36' 50.05" W
Treatment Plant Receiving Discharge	Clark County/Salmon Creek Publicly Owned Treatment Works (POTW) through the Clark Regional Wastewater District (CRWWD)
Contact at Facility	Name: Scott Godfrey, EHS Engineer Telephone #: 360-713-5164 Fax: 360-546-1960 email: scott.godfrey@nlight.net
Responsible Official	Name: Steve Norgaard Title: Vice President of Manufacturing Operations Address: nLIGHT Corporation 5408 Northeast 88th Street, Building E Vancouver, WA 98665

BACKGROUND INFORMATION

DESCRIPTION OF THE FACILITY

nLIGHT Corporation (nLIGHT), based in Vancouver, Washington, is a privately held company established in 2000 that designs and manufactures industry leading high-power semiconductor lasers and fibers for industrial, medical, defense and consumer applications. nLIGHT has manufacturing and application centers in Vancouver, Washington; Hillsboro, Oregon; Lohja, Finland; and Shanghai, China. International customers represent a significant portion of nLIGHT's sales.

nLIGHT acquired Flextronics Photonics in 2006 and leading specialty fiber manufacturer LIEKKI Corporation in 2007.

nLIGHT has grown an average of 70 percent per year for the past five years and was named the fastest growing technology company in Washington State by Deloitte & Touche's in 2007.

nLIGHT is classified as a significant industrial user (SIU) because it is a categorical industrial user subject to federal categorical pretreatment standards. Processes found in the facility are classified under the 40 CFR Part 469—Electrical and Electronic Components Point Source Category, Subpart A—Semiconductor Subcategory and Subpart B—Electronic Crystals Subcategory.

HISTORY

nLIGHT started operation in 2001.

INDUSTRIAL PROCESSES

nLIGHT manufactures high power laser diodes for the medical, industrial and defense industries under Standard Industrial Classification (SIC) Code 3674. It uses the following processes in the manufacturing operation:

- Metal Organic Chemical Vapor Deposition (MOCVD) - epitaxial growth of chemical compounds onto the wafer substrate.
- Photolithography - transference of a circuitry pattern onto a substrate.
- Polishing - chemical and mechanical grinding/polishing of the backside of a wafer to reduce the thickness.
- Metallization - evaporation and deposition of metals onto a wafer.
- Cleave & Coat - mechanical cleaving of wafers into laser bars and coating of the individual bar facets with aluminum and silicon.
- Submount Preparation - preparation of lasers for assembly into a package.
- Bonding & Assembly - wire bonding laser bars to the submount and final assembly of the package.
- Test & Burn-in - testing of finished bars and single emitters for reliability.

nLIGHT discharges 1,000 to 4,000 gallons of industrial wastewater per day as monthly average. It has discharged a maximum daily wastewater volume of 8,596 gallons since July 1, 2003. Table 1 describes the processes which generate industrial wastewater.

Table 1 Processes which generate industrial wastewater.

Process	Waste Stream Name	Waste Stream ID#	Batch (B) or Continuous (C) Process
MOCVD Exhaust Gas Abatement	Arsenic Wastewater	1	B
MOCVD Parts Cleaning	Aqua Regia Waste	2	B
MOCVD Parts Cleaning	Acid Waste	3	B
Wafer Etching & Cleaning	Acid Waste	4	B
Wafer Etching & Cleaning	Aqua Regia Waste	5	B
Wafer Etching & Cleaning	Hydrofluoric Acid Waste	6	B
Lapping & Polishing	Aqua Regia Waste	7	B
Gold Plating	Acid Waste	8	B
Wafer Dicing	Backgrind Wastewater	9	B
Wash Sink	Backgrind Wastewater	10	B
Laser Bar & Parts Cleaning	Hydrofluoric Acid Waste	11	B
Laser Bar & Parts Cleaning	Acid Waste	12	B
Wet Scrubber	Acid Waste	13	B
Deionized Water[1]	DI Water	14	C

[1] The following information was provided by Scott Godfrey vie email on May 9, 2008:

DI Drainage: At present the practice of bleeding DI water from the storage tank to the sanitary drain has ceased. Any bleed-off is sent to the process cooling water system as make-up water. However, the reverse osmosis system does reject water to the sanitary drain at a current rate of 10 gpm. This is a recent increase from 6 gpm. The change was made in late March to increase the performance of the RO system. nLIGHT operates the RO system approximately five hours per day. The final adjustments to the RO system have been made. The RO system now rejects water to Outfall 001 at a rate of 4 gpm during operation. nLIGHT operates the system between three and four hours per day.

Additional Facility Information

1. Type and amount of product.

   nLIGHT produces high-power semiconductor lasers for industrial, medical and defense applications.

   Amount of production is measured in the WAFER STARTS:

   The following information was provided by Scott Godfrey vie email on May 9, 2008:

WAFER STARTS:

2005 – 1264

2006 – 1300

2007 – 1746

2. Anticipated increases or decreases in production.

   The production increased until August 2007; it leveled off between August 2007 and February 2008; and has declined the last few months. The facility expects flat production in the third quarter and a production increase in the fourth quarter of 2008.

3. Seasonal variation in production.

   There is no seasonal variation in production.

4. Size of facility.

   The facility size is 57,000 square feet (ft^2). This includes a clean room area of 22,500 ft^2.

5. Days of operation and number of shifts.

   nLIGHT operates Mondays through Fridays, 6:00 a.m. to 10:00 p.m. and sometimes on weekends. Few people work on the second shift, 2:00 p.m. to 10:00 p.m.

6. Approximate number of people employed.

   nLIGHT employs 150 people, 40 in actual production and 110 in engineering, management and finance.

nLIGHT disposes 2,000 pounds of non-hazardous solids every two months that it generates from the filter press during the industrial wastewater treatment. The facility was a medium quantity generator of hazardous waste in 2007 and generated a variety of process wastes including: solvent wastes, solvent contaminated solids, acid/arsenic contaminated solids, zenith absorber, MOCVD Etchant, Spent Cutting Fluid, and other miscellaneous wastes.

TREATMENT PROCESSES

There are four industrial wastewater treatment processes at the facility:

- Acid Waste Neutralization (AWN) – Outfall 001.
- Hydrofluoric (HF) acid Wastewater Treatment – Outfall 002.
- Arsenic Wastewater Treatment – Outfall 003.
- Back Grind Wastewater Treatment – Outfall 004.

Outfalls 002, 003 and 004 discharge to AWN and then through Outfall 001 to the CRWWD sewer system.

The facility submitted an engineering report and application to Ecology on January 12, 2001 that describes the above treatment processes.

PERMIT STATUS

Ecology issued the previous permit for this facility on December 13, 2002.

The facility submitted an application for permit renewal to Ecology on December 22, 2006 that Ecology accepted on January 8, 2007.

SUMMARY OF COMPLIANCE WITH THE PREVIOUS PERMIT

The facility last received an inspection on May 7, 2008.

Table 12 provides a summary of compliance over the life of the current permit.

Table 2 Summary of compliance

Date	Outfall Number	Monitoring Parameter	Sample Measurement	Permit Requirement	Annotations
December 15, 2003	001	Arsenic	30-50 mg/L	0.1 mg/L	Accidental release of 800 gallons.
December 2003	001	Arsenic	1.26 mg/L	0.1 mg/L	$6,000.00 penalty issued.
December 2003	003	Arsenic-average monthly	5.02 mg/L	0.83 mg/L	
December 2003	003	Arsenic-maximum daily	14.5 mg/L	2.09 mg/L	
March 2006	5.01	pH-minimum	5.1	6.0	
June 2006	001	pH-maximum	9.4	9.0	
[1]Hazel Dell Sewer District change name to Clark Regional Wastewater District.					

The most significant violation of the permit occurred when the facility accidentally released 800 gallons of arsenic waste on December 15, 2003. At the time, nLight estimated an arsenic concentration of 30 to 50 mg/L. The maximum concentration of arsenic measured in December 2003 was 14.5 mg/L.

nLIGHT has remained in compliance with the permit since June 2006.

WASTEWATER CHARACTERIZATION

The concentration of pollutants in the discharge was reported in the permit application (Table 3) and in discharge monitoring reports (Table 4).

Table 3 Wastewater characterization reported in the application: Outfall 001.

Parameter	Units	Minimum	Maximum	Average
pH	Standard Units (SU)	5.1	9.4	
Total Suspended Solids (TSS)	mg/L	<10.0	<10.0	

Table 3 Wastewater characterization reported in the application: Outfall 001.

Parameter	Units	Minimum	Maximum	Average
5-day Biochemical Oxygen Demand (BOD_5)	mg/L	10.3		
Chlorine Demand	mg/L	Not reported		
All concentrations for metallic substances are for "total" metal.				
Arsenic	mg/L	0.00142	0.04	0.0111
Cadmium	mg/L	<0.001	<0.001	<0.001
Chromium	mg/L	0.0145	0.0145	0.0145
Copper	mg/L	0.0735	0.0735	0.0735
Cyanide	mg/L	Not reported		
Lead	mg/L	<0.001	<0.001	<0.001
Molybdenum	mg/L	<0.005		
Mercury	mg/L	<0.0002	<0.0002	<0.0002
Nickel	mg/L	0.00249	0.00249	0.00249
Selenium	mg/L	<0.001	<0.001	<0.001
Silver	mg/L	0.00445	0.00445	0.00445
Zinc	mg/L	0.119	0.119	0.119
Fat, oil and grease (FOG); polar*	mg/L	<5.00		
FOG; non-polar*	mg/L	<5.00		
Fluoride	mg/L	0.144	0.555	0.321
Barium	mg/L	<0.01	<0.01	0.01
* Reported in an e-mail on June 23, 2008.				

Table 4 Wastewater characterization reported in the discharge monitoring report: Outfall 001, Outfall 002, Outfall 003 and Outfall 004.

Parameter	Units	Minimum	Maximum	Outfall
Flow, maximum daily	GPD	1,446	8,596	Outfall 001
Flow, average monthly	GPD	928	3,893	Outfall 001
pH	SU	6.2	10.2	Outfall 001
Total Suspended Solids (TSS)	mg/L	Not required by the permit.		Outfall 001

Table 4 Wastewater characterization reported in the discharge monitoring report: Outfall 001, Outfall 002, Outfall 003 and Outfall 004.

Parameter	Units	Minimum	Maximum	Outfall
5-day Biochemical Oxygen Demand (BOD_5)	mg/L	Not required by the permit.		Outfall 001
Chlorine Demand	mg/L	<0.1	4.12	Outfall 001
All concentrations for metallic substances are for "total" metal.				
Arsenic	mg/L	0.001	1.26	Outfall 001
Cadmium	mg/L	<0.001	<0.01	Outfall 001
Chromium	mg/L	0.00346	0.045	Outfall 001
Copper	mg/L	0.0157	0.085	Outfall 001
Cyanide	mg/L	<0.005	<0.005	Outfall 001
Lead	mg/L	<0.001	<0.01	Outfall 001
Molybdenum	mg/L	Not required by the permit.		Outfall 001
Mercury	mg/L	<0.0002	<0.0002	Outfall 001
Nickel	mg/L	0.002	<0.02	Outfall 001
Selenium	mg/L	<0.001	0.011	Outfall 001
Silver	mg/L	<0.001	<0.01	Outfall 001
Zinc	mg/L	<0.05	<0.05	Outfall 001
Fat, oil and grease (FOG); polar	mg/L	Not required by the permit		Outfall 001
FOG; non-polar	mg/L	Not required by the permit		Outfall 001
Fluoride	mg/L	0.144	5.78	Outfall 001
Total Toxic Organics (TTOs)	mg/L	<0.01	<0.01	Outfall 001
Barium	mg/L	0.006	0.02	Outfall 001
Beryllium	mg/L	<0.001	<0.01	Outfall 001
Iron	mg/L	<0.1	<0.15	Outfall 001
Phenol	mg/L	<0.029	<0.029	Outfall 001
Fluoride	mg/L	0	6.63	Outfall 002
Arsenic, maximum daily	mg/L	0.00141	5.02	Outfall 003
Arsenic, average monthly	mg/L	0.00141	14.5	Outfall 003
Total Suspended Solids (TSS)	mg/L	<3.85	<10	Outfall 004

PROPOSED PERMIT LIMITATIONS

State regulations require that limitations set forth in a waste discharge permit must be based on the technology available to treat the pollutants (technology-based) or be based on the effects of the pollutants to the POTW (local limits). Wastewater must be treated using all known, available, reasonable methods of prevention, control, and treatment (AKART) and not interfere with the operation of the POTW.

The more stringent of the local limits-based or technology-based limits are applied to each of the parameters of concern. Each of these types of limits is described in more detail below.

TECHNOLOGY-BASED EFFLUENT LIMITATIONS

All waste discharge permits issued by Ecology must specify conditions requiring available and reasonable methods of prevention, control, and treatment of discharges to waters of the state (WAC 173-216-110). Existing federal categorical limitations for this facility are found under 40 CFR Part 469—Electrical and Electronic Components Point Source Category, Subpart A—Semiconductor Subcategory and Subpart B—Electronic Crystals Subcategory. The following limitations are necessary to satisfy the requirement for AKART:

Pollutant of pollutant property	**Maximum for any 1 day**	**Average of daily values for 30 consecutive days**
	milligrams per liter (mg/L)	
Total toxic organics (TTO)	1.37	
Arsenic	2.09	0.83
Fluoride	32.0	17.4
Total suspended solids (TSS)	61.0	23.0
pH	Within the range of 6.0-9.0 SU	

TTO is defined for this industry (40 CFR 469.22) as the sum of the concentrations for each of the following toxic organic compounds which is found in the discharge at a concentration greater than ten (10) micrograms per liter (µg/L):

chloroform	1,1,2 trichloroethane	butyl benzyl phthalate
phenol	trichloroethylene	1,2 dichlorobenzene
carbon tetrachloride	2 chlorophenol	1,3 dichlorobenzene
dichlorobromomethane	2,4 dichlorophenol	1,4 dichlorobenzene
1,2 dichloroethane	2 nitrophenol	1,2 diphenylhydrazine
1,1 dichloroethylene	ethylbenzene	di-n-butyl phthalate
methylene chloride	pentachlorophenol	isophorone
tetrachloroethylene	2,4,6 trichlorophenol	naphthalene
toluene	anthracene	1,2,4 trichlorobenzene
1,1,1 trichloroethane	bis (2-ethylhexyl) phthalate	4 nitrophenol

Under 40 CFR 469.13 and 40 CFR 469.23, the facility may submit a certification of proper solvent management in lieu of monitoring if the facility has an approved solvent management plan. In order to secure this exemption from regular monthly monitoring for TTO, nLight must make the request in writing and submit a solvent management plan. Ecology will require nLight to complete quarterly sampling for TTO for one year before approval of an exemption from regular monitoring. Ecology must approve the

solvent management plan in order for the monitoring exemption to go into effect. After approval of the solvent management plan, Ecology may allow nLight to make the following certification as a signed attachment to the monthly discharge monitoring report (DMR):

> "Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for TTO, I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewater has occurred since filing the last discharge monitoring report. I further certify that this facility is implementing the solvent management plan submitted to Ecology."

EFFLUENT LIMITATIONS BASED ON LOCAL LIMITS

To protect the Clark County/Salmon Creek Publicly Owned Treatment Works (POTW) from pass-through, interference, concentrations of toxic chemicals that would impair beneficial or designated uses of sludge, or potentially hazardous exposure levels, limits for certain parameters are necessary. Ecology determined limits based on prohibited discharge standards and local limits established by the Clark Regional Wastewater District (CRWWD) and codified in ordinance. The CRWWD limits are listed in Table 5. The proposed limits for Outfall 001 which are based on the CRWWD prohibited discharge standards and local limits are listed in Table 6.

Table 5 Clark Regional Wastewater District prohibited discharge standards and local limits

Parameter	Units	Daily Average (maximum daily)	Instantaneous Maximum
pH	Standard units	Within the range of 6.0 to 9.0 at all times.	
Total Suspended Solids (TSS)	Milligrams per liter (mg/L)	300	
5-day Biochemical Oxygen Demand (BOD_5)	mg/L	240	
Chlorine Demand	mg/L	20	
All concentrations for metallic substances are for "total" metal unless indicated otherwise.			
Arsenic	mg/L	0.53	1.06
Cadmium	mg/L	0.28	0.56
Copper	mg/L	3.59	7.18
Chromium	mg/L	14.29	28.58
Cyanide	mg/L	5.09	10.18
Lead	mg/L	1.13	2.26
Molybdenum	mg/L	0.18	0.36
Mercury	mg/L	0.20	0.40
Nickel	mg/L	3.77	7.54
Selenium	mg/L	1.46	2.92
Silver	mg/L	4.41	8.82
Zinc	mg/L	1.76	3.52

Table 5 Clark Regional Wastewater District prohibited discharge standards and local limits

Parameter	Units	Daily Average (maximum daily)	Instantaneous Maximum
Fat, oil and grease (FOG); polar	mg/L	100	
FOG; non-polar	mg/L	50	

Ecology determined that nLIGHT has a reasonable potential to exceed the CRWWD prohibited discharge standards and local limits for pH and arsenic.

Table 6 Proposed limits based on Clark Regional Wastewater District prohibited discharge standards and local limits; Outfall 001

Parameter	Units	Daily Average	Instantaneous Maximum
pH	SU	Within the range of 6.0 to 9.0 at all times.	
All concentrations for metallic substances are for "total" metal unless indicated otherwise.			
Arsenic	mg/L	0.53	1.06

COMPARISON OF LIMITATIONS WITH THE EXISTING PERMIT ISSUED DECEMBER 13, 2002

Existing permit limitations are listed in Table 7, Table 8, Table 9, and Table 10. Proposed permit limitations are listed in Table 11, Table 12, Table 13, and Table 14. The proposed limitations have additional limited parameters as explained in a previous chapter. Ecology removed the limit for 'phenols or cresols' since CRWWD no longer has a local limit and added new local limit instantaneous values when appropriate.

Table 7 Existing Permit Limits for Acid waste neutralization (AWN) effluent, Outfall 001.

Parameter	Units	Average Monthly[1]	Maximum Daily[2]
pH	SU	Shall be within the range of 6.0 to 9.0	
Flow	gallons per day (mgd)	7,000	9,000
Arsenic	mg/L		0.1
Fluoride	mg/L	17.4	32.0
Total toxic organics (TTO[3])	mg/L		1.37
Phenols or Cresols	mg/L		0.6

[1] The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

[2] The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For other units of measurement, the daily discharge is the average measurement of the pollutant over the day.

Table 7 Existing Permit Limits for Acid waste neutralization (AWN) effluent, Outfall 001.

Parameter	Units	Average Monthly[1]	Maximum Daily[2]

[3] TTO is defined for this industry (40 CFR 469.22) as the sum of the concentrations for each of the following toxic organic compounds which is found in the discharge at a concentration greater than ten (10) micrograms per liter (µg/L):

chloroform	1,1,2 trichloroethane	butyl benzyl phthalate
phenol	trichloroethylene	1,2 dichlorobenzene
carbon tetrachloride	2 chlorophenol	1,3 dichlorobenzene
dichlorobromomethane	2,4 dichlorophenol	1,4 dichlorobenzene
1,2 dichloroethane	2 nitrophenol	1,2 diphenylhydrazine
1,1 dichloroethylene	ethylbenzene	di-n-butyl phthalate
methylene chloride	pentachlorophenol	isophorone
tetrachloroethylene	2,4,6 trichlorophenol	naphthalene
toluene	anthracene	1,2,4 trichlorobenzene
1,1,1 trichloroethane	bis (2-ethylhexyl) phthalate	4 nitrophenol

Under 40 CFR 469.13 and 40 CFR 469.23, a certification of proper solvent management may be submitted in lieu of monitoring if the facility has an approved solvent management plan. In order to secure this exemption from regular monthly monitoring for TTO, the Permittee must make the request in writing and submit a solvent management plan. The Permittee will be required to complete quarterly sampling for TTO for one year before the exemption from regular monitoring will be allowed. Ecology must approve the solvent management plan in order for the monitoring exemption to go into effect. After approval of the solvent management plan, Ecology may allow the Permittee to make the following certification as a signed attachment to the monthly discharge monitoring report (DMR):

"Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for TTO, I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewater has occurred since filing the last discharge monitoring report. I further certify that this facility is implementing the solvent management plan submitted to Ecology."

Table 8 Existing Permit Limits for Hydrofluoric (HF) acid wastewater treatment effluent, Outfall 002.

Parameter	Units	Average Monthly	Maximum Daily
Fluoride	mg/l	17.4	32.0

Table 9 Existing Permit Limits for Arsenic wastewater treatment effluent, Outfall 003.

Parameter	Units	Average Monthly	Maximum Daily
Arsenic	mg/L	0.83	2.09

Table 10 Existing Permit Limits for Back grind wastewater treatment effluent, Outfall 004.

Parameter	Units	Average Monthly	Maximum Daily
Total Suspended Solids	mg/L	61.0	23.0

Table 10 Existing Permit Limits for Back grind wastewater treatment effluent, Outfall 004.

Parameter	Units	Average Monthly	Maximum Daily
(TSS)			

Table 11 Proposed Permit Limits for Acid waste neutralization (AWN) effluent, Outfall 001.

Parameter	Units	Average Monthly[1]	Maximum Daily[2]	Instantaneous Minimum	Instantaneous Maximum
pH	SU			6.0	9.0
Flow	gpd	8,000	10,000		
Arsenic	mg/L		0.53		1.06
Fluoride	mg/L	17.4	32.0		
Total toxic organics (TTO[3])	mg/L		1.37		

[1]The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

[2] The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For other units of measurement, the daily discharge is the average measurement of the pollutant over the day.

Table 11 Proposed Permit Limits for Acid waste neutralization (AWN) effluent, Outfall 001.

[3] TTO is defined for this industry (40 CFR 469.22) as the sum of the concentrations for each of the following toxic organic compounds which is found in the discharge at a concentration greater than ten (10) micrograms per liter (µg/L):

chloroform	1,1,2 trichloroethane	butyl benzyl phthalate
phenol	trichloroethylene	1,2 dichlorobenzene
carbon tetrachloride	2 chlorophenol	1,3 dichlorobenzene
dichlorobromomethane	2,4 dichlorophenol	1,4 dichlorobenzene
1,2 dichloroethane	2 nitrophenol	1,2 diphenylhydrazine
1,1 dichloroethylene	ethylbenzene	di-n-butyl phthalate
methylene chloride	pentachlorophenol	isophorone
tetrachloroethylene	2,4,6 trichlorophenol	naphthalene
toluene	anthracene	1,2,4 trichlorobenzene
1,1,1 trichloroethane	bis (2-ethylhexyl) phthalate	4 nitrophenol

Under 40 CFR 469.13 and 40 CFR 469.23, a certification of proper solvent management may be submitted in lieu of monitoring if the facility has an approved solvent management plan. In order to secure this exemption from regular monthly monitoring for TTO, the Permittee must make the request in writing and submit a solvent management plan. The Permittee will be required to complete quarterly sampling for TTO for one year before the exemption from regular monitoring will be allowed. Ecology must approve the solvent management plan in order for the monitoring exemption to go into effect. After approval of the solvent management plan, Ecology may allow the Permittee to make the following certification as a signed attachment to the monthly discharge monitoring report (DMR):

"Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for TTO, I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewater has occurred since filing the last discharge monitoring report. I further certify that this facility is implementing the solvent management plan submitted to Ecology."

Table 12 Proposed Permit Limits for Hydrofluoric (HF) acid wastewater treatment effluent, Outfall 002.

Parameter	Units	Average Monthly	Maximum Daily
Fluoride	mg/L	17.4	32.0

Table 13 Proposed Permit Limits for Arsenic wastewater treatment effluent, Outfall 003.

Parameter	Units	Average Monthly	Maximum Daily
Arsenic	mg/L	0.83	2.09

Table 14 Proposed Permit Limits for Back grind wastewater treatment effluent, Outfall 004.

Parameter	Units	Average Monthly	Maximum Daily
Total Suspended Solids (TSS)	mg/L	23.0	61.0

MONITORING REQUIREMENTS

Monitoring, recording, and reporting are specified to verify that the treatment process is functioning correctly, and that effluent limitations are being achieved (WAC 173-216-110).

The following are monitoring locations:

Outfalls:	Effluent From:
001	Acid Waste Neutralization (AWN)
002	Hydrofluoric (HF) acid Wastewater Treatment
003	Arsenic Wastewater Treatment
004	Back Grind Wastewater Treatment

The monitoring schedule is detailed in the proposed permit under Condition S2. Specified monitoring frequencies take into account the quantity and variability of the discharge, the treatment method, past compliance, significance of pollutants, and cost of monitoring.

OTHER PERMIT CONDITIONS

REPORTING AND RECORDKEEPING

The conditions of S3 are based on the authority to specify any appropriate reporting and recordkeeping requirements to prevent and control waste discharges [WAC 173-216-110 and 40 CFR 403.12 (e), (g), and (h)].

OPERATIONS AND MAINTENANCE

The proposed permit contains condition S.5 as authorized under WAC 173-240-150 and WAC 173-216-110. It is included to ensure proper operation and regular maintenance of equipment, and to ensure that adequate safeguards are taken so that constructed facilities are used to their optimum potential in terms of pollutant capture and treatment.

PROHIBITED DISCHARGES

Certain pollutants are prohibited from being discharged to the POTW. These include substances which cause pass-through or interference, pollutants which may cause damage to the POTW or harm to the POTW workers (Chapter 173-216 WAC) and the discharge of designated dangerous wastes not authorized by this permit (Chapter 173-303 WAC).

DILUTION PROHIBITED

The Permittee is prohibited from diluting its effluent as a partial or complete substitute for adequate treatment to achieve compliance with permit limitations.

GENERAL CONDITIONS

General Conditions are based directly on state laws and regulations and have been standardized for all industrial waste discharge to POTW permits issued by Ecology.

Condition G1 requires responsible officials or their designated representatives to sign submittals to Ecology.

Condition G2 requires the Permittee to allow Ecology to access the treatment system, production facility, and records related to the permit.

Condition G3 specifies conditions for modifying, suspending or terminating the permit.

Condition G4 requires the Permittee to apply to Ecology prior to increasing or varying the discharge from the levels stated in the permit application.

Condition G5 requires the Permittee to construct, modify, and operate the permitted facility in accordance with approved engineering documents.

Condition G6 prohibits the Permittee from using the permit as a basis for violating any laws, statutes or regulations.

Conditions G7 relates to permit renewal and transfer.

Conditions G8 requires the Permittee to control production or wastewater discharge in order to maintain compliance with the permit.

Condition G9 prohibits the reintroduction of removed pollutants into the effluent stream for discharge.

Condition G10 requires the payment of permit fees.

Condition G11 describes the penalties for violating permit conditions.

PUBLIC NOTIFICATION OF NONCOMPLIANCE

A list of all industrial users which were in significant noncompliance with Pretreatment Standards or Requirements during any of the previous four quarters may be annually published by Ecology in a local newspaper. Accordingly, the Permittee is apprised that noncompliance with this permit may result in publication of the noncompliance.

RECOMMENDATION FOR PERMIT ISSUANCE

This proposed permit meets all statutory requirements for authorizing a wastewater discharge, including those limitations and conditions believed necessary to control toxics. Ecology proposes that the permit be issued for 5 years.

REFERENCES FOR TEXT AND APPENDICES

Washington State Department of Ecology.

Laws and Regulations(http://www.ecy.wa.gov/laws-rules/index.html)

Permit and Wastewater Related Information
(http://www.ecy.wa.gov/programs/wq/wastewater/index.html

APPENDICES

APPENDIX A—PUBLIC INVOLVEMENT INFORMATION

Ecology has tentatively determined to reissue a permit to the applicant listed on page 1 of this fact sheet. The permit contains conditions and effluent limitations which are described in the rest of this fact sheet.

Public notice of application was published on March 1, 2007, and March 9, 2007, in the *Columbian* to inform the public that an application had been submitted and to invite comment on the reissuance of this permit.

Ecology will publish a Public Notice of Draft on July 11, 2008, in the *Columbian* to inform the public that a draft permit and fact sheet are available for review. Interested persons are invited to submit written comments regarding the draft permit. The draft permit, fact sheet, and related documents are available for inspection and copying between the hours of 8:00 a.m. and 5:00 p.m. weekdays, by appointment, at the regional office listed below. Written comments should be mailed to:

Industrial Unit Permit Coordinator
Department of Ecology
Southwest Regional Office
P.O. Box 47775
Olympia, WA 98504-7775

Any interested party may comment on the draft permit or request a public hearing on this draft permit within the 30 day comment period to the address above. The request for a hearing shall indicate the interest of the party and reasons why the hearing is warranted. Ecology will hold a hearing if it determines there is a significant public interest in the draft permit (WAC 173-216-100). Public notice regarding any hearing will be circulated at least 30 days in advance of the hearing. People expressing an interest in this permit will be mailed an individual notice of hearing.

Comments should reference specific text followed by proposed modification or concern when possible. Comments may address technical issues, accuracy and completeness of information, the scope of the facility's proposed coverage, adequacy of environmental protection, permit conditions, or any other concern that would result from issuance of this permit.

Ecology will consider all comments received within 30 days from the date of public notice of draft indicated above, in formulating a final determination to issue, revise, or deny the permit. Ecology's response to all significant comments is available upon request and will be mailed directly to people expressing an interest in this permit.

Further information may be obtained from Ecology by telephone at 360-407-6280, or by writing to the address listed above.

This permit was written by Jacek Anuszewski, P.E.

APPENDIX B—GLOSSARY

AKART—The acronym for "all known, available, and reasonable methods of prevention, control and treatment." AKART must be applied to all wastes and contaminants prior to entry into waters of the state in accordance with RCW 90.48.010 and 520, WAC 173-200-030(2)(c)(ii), and WAC 173-216-110(1)(a).

Alternate Point of Compliance—An alternative location in the ground water from the point of compliance where compliance with the ground water standards is measured. It may be established in the ground water at locations some distance from the discharge source, up to, but not exceeding the property boundary and is determined on a site specific basis following an AKART analysis. An "early warning value" must be used when an alternate point is established. An alternate point of compliance must be determined and approved in accordance with WAC 173-200-060(2).

Ammonia—Ammonia is produced by the breakdown of nitrogenous materials in wastewater. Ammonia is toxic to aquatic organisms, exerts an oxygen demand, and contributes to eutrophication. It also increases the amount of chlorine needed to disinfect wastewater.

Average Monthly Discharge Limitation—The average of the measured values obtained over a calendar month's time.

AKART—This acronym is defined as: All known, available and reasonable methods of prevention, control, and treatment. AKART is a technology-based approach to limiting pollutants from wastewater discharges which requires an engineering judgment and an economic judgment.

Background water quality—The concentrations of chemical, physical, biological or radiological constituents or other characteristics in or of ground water at a particular point in time upgradient of an activity that has not been affected by that activity, [WAC 173-200-020(3)]. Background water quality for any parameter is statistically defined as the 95 percent upper tolerance interval with a 95 percent confidence based on at least eight hydraulically upgradient water quality samples. The eight samples are collected over a period of at least one year, with no more than one sample collected during any month in a single calendar year.

Best Management Practices (BMPs) —Schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the State. BMPs include treatment systems, operating procedures, and practices to control: plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. BMPs may be further categorized as operational, source control, erosion and sediment control, and treatment BMPs.

BOD_5—Determining the Biochemical Oxygen Demand (BOD_5) of an effluent is an indirect way of measuring the quantity of organic material present in an effluent that is utilized by bacteria. The BOD_5 is used in modeling to measure the reduction of dissolved oxygen in a receiving water after effluent is discharged. Stress caused by reduced dissolved oxygen levels makes organisms less competitive and less able to sustain their species in the aquatic environment. Although BOD is not a specific compound, it is defined as a conventional pollutant under the federal Clean Water Act.

Bypass—The intentional diversion of waste streams from any portion of the collection or treatment facility.

Categorical Pretreatment Standards—National pretreatment standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged to a POTW by existing or new industrial users in specific industrial subcategories.

Compliance Inspection - Without Sampling—A site visit for the purpose of determining the compliance of a facility with the terms and conditions of its permit or with applicable statutes and regulations.

Compliance Inspection - With Sampling—A site visit to accomplish the purpose of a Compliance Inspection - Without Sampling and as a minimum, sampling and analysis for all parameters with limits in the permit to ascertain compliance with those limits; and, for municipal facilities, sampling of influent to ascertain compliance with the 85 percent removal requirement. Additional sampling may be conducted.

Composite Sample—A mixture of grab samples collected at the same sampling point at different times, formed either by continuous sampling or by mixing discrete samples. May be "time-composite"(collected at constant time intervals) or "flow-proportional" (collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each aliquot as the flow increased while maintaining a constant time interval between the aliquots.

Construction Activity—Clearing, grading, excavation and any other activity which disturbs the surface of the land. Such activities may include road building, construction of residential houses, office buildings, or industrial buildings, and demolition activity.

Continuous Monitoring –Uninterrupted, unless otherwise noted in the permit.

Early Warning Value—The concentration of a pollutant set in accordance with WAC 173-200-070 that is a percentage of an enforcement limit. It may be established in the effluent, ground water, surface water, the vadose zone or within the treatment process. This value acts as a trigger to detect and respond to increasing contaminant concentrations prior to the degradation of a beneficial use.

Enforcement limit—The concentration assigned to a contaminant in the ground water at the point of compliance for the purpose of regulation, [WAC 173-200-020(11)]. This limit assures that a ground water criterion will not be exceeded and that background water quality will be protected.

Engineering Report—A document, signed by a professional licensed engineer, which thoroughly examines the engineering and administrative aspects of a particular domestic or industrial wastewater facility. The report shall contain the appropriate information required in WAC 173-240-060 or 173-240-130.

Ground water—Water in a saturated zone or stratum beneath the surface of land or below a surface water body.

Grab Sample—A single sample or measurement taken at a specific time or over as short period of time as is feasible.

Industrial User—A discharger of wastewater to the sanitary sewer which is not sanitary wastewater or is not equivalent to sanitary wastewater in character.

Industrial Wastewater—Water or liquid-carried waste from industrial or commercial processes, as distinct from domestic wastewater. These wastes may result from any process or activity of industry, manufacture, trade or business, from the development of any natural resource, or from animal operations such as feed lots, poultry houses, or dairies. The term includes contaminated storm water and, also, leachate from solid waste facilities.

Interference— A discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and

Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA), sludge regulations appearing in 40 CFR Part 507, the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

Local Limits—Specific prohibitions or limits on pollutants or pollutant parameters developed by a POTW.

Maximum Daily Discharge Limitation—The highest allowable daily discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. The daily discharge is calculated as the average measurement of the pollutant over the day.

Method Detection Level (MDL) —The minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is above zero and is determined from analysis of a sample in a given matrix containing the analyte.

Pass-through— A discharge which exits the POTW into waters of the-State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation), or which is a cause of a violation of State water quality standards.

pH—The pH of a liquid measures its acidity or alkalinity. A pH of 7.0 is defined as neutral, and large variations above or below this value are considered harmful to most aquatic life.

Point of Compliance – The location in the ground water where the enforcement limit shall not be exceeded and a facility must be in compliance with the Ground Water Quality Standards. It is determined on a site specific basis and approved or designated by Ecology. It should be located in the ground water as near and directly downgradient from the pollutant source as technically, hydrogeologically, and geographically feasible, unless an alternative point of compliance is approved.

Potential Significant Industrial User—A potential significant industrial user is defined as an Industrial User which does not meet the criteria for a Significant Industrial User, but which discharges wastewater meeting one or more of the following criteria:

a. Exceeds 0.5 percent of treatment plant design capacity criteria and discharges <25,000 gallons per day or;

b. Is a member of a group of similar industrial users which, taken together, have the potential to cause pass through or interference at the POTW (e.g. facilities which develop photographic film or paper, and car washes).

Ecology may determine that a discharger initially classified as a potential significant industrial user should be managed as a significant industrial user.

Quantitation Level (QL)—A calculated value five times the MDL (method detection level).

Significant Industrial User (SIU)—

1) All industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N and;

2) Any other industrial user that: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blow-down wastewater); contributes a process wastestream that makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the Control Authority* on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

Upon finding that the industrial user meeting the criteria in paragraph 2, above, has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the Control Authority* may at any time, on its own initiative or in response to a petition received from an industrial user or POTW, and in accordance with 40 CFR 403.8(f)(6), determine that such industrial user is not a significant industrial user.

*The term "Control Authority" refers to the Washington State Department of Ecology in the case of non-delegated POTWs or to the POTW in the case of delegated POTWs.

Slug Discharge—Any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge to the POTW. This may include any pollutant released at a flow rate which may cause interference with the POTW.

Soluble BOD_5—Determining the soluble fraction of Biochemical Oxygen Demand of an effluent is an indirect way of measuring the quantity of soluble organic material present in an effluent that is utilized by bacteria. Although the soluble BOD test is not specifically described in Standard Methods, filtering the raw sample through at least a 1.2 um filter prior to running the standard BOD_5 test is sufficient to remove the particulate organic fraction.

State Waters—Lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

Stormwater—That portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes, and other features of a storm water drainage system into a defined surface water body, or a constructed infiltration facility.

Technology-based Effluent Limit—A permit limit that is based on the ability of a treatment method to reduce the pollutant.

Total Coliform Bacteria—A microbiological test which detects and enumerates the total coliform group of bacteria in water samples.

Total Dissolved Solids—That portion of total solids in water or wastewater that passes through a specific filter.

Total Suspended Solids (TSS) —Total suspended solids is the particulate material in an effluent. Large quantities of TSS discharged to a receiving water may result in solids accumulation. Apart from any toxic effects attributable to substances leached out by water, suspended solids may kill fish, shellfish, and other aquatic organisms by causing abrasive injuries and by clogging the gills and respiratory passages of various aquatic fauna. Indirectly, suspended solids can screen out light and can promote and maintain the development of noxious conditions through oxygen depletion.

Water Quality-based Effluent Limit—A limit on the concentration of an effluent parameter that is intended to prevent the concentration of that parameter from exceeding its water quality criterion after it is discharged into a receiving water.

APPENDIX C—RESPONSE TO COMMENTS

Comments were received from Don Young, Pretreatment Coordinator representing Clark Regional Wastewater District on August 8, 2008. The following are the comments and Ecology responses.

Don Young:

Draft Permit Comments

S1. Paragraph 2

Beginning on the effective date and lasting through the expiration date of this permit, the Permittee is authorized to discharge wastewater to **Clark County/Salmon Creek Publicly Owned Treatment Works (POTW)** through the Clark Regional Wastewater District (CRWWD) sewer system subject to the following limitations:

This paragraph implies that the Salmon Creek Wastewater Treatment Plant only is designated as the POTW and excludes the conveyance system owned by Clark Regional Wastewater District. This is not consistent with the following definitions:

40 CFR 403.3 (o) The term Publicly Owned Treatment Works or POTW means a treatment works as defined by section 212 of the Act, which is owned by a State or municipality (as defined by section 502(4) of the Act). This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW Treatment Plant.

40 CFR 403.3 (p) The term POTW Treatment Plant means that portion of the POTW which is designed to provide treatment (including recycling and reclamation) of municipal sewage and industrial waste.

WAC 173-216-030 Definitions.
For the purposes of this chapter the following definitions shall be applicable:

5) "Domestic wastewater facility" means all structures, equipment, or processes required to collect, carry away, treat, reclaim, or dispose of domestic wastewater together with such industrial waste as may be present. In case of subsurface sewage treatment and disposal, the term is restricted to mean those facilities treating and disposing of domestic wastewater only from:

(10) "Municipal sewerage system" or "publicly owned treatment works (POTW)" means a publicly owned domestic wastewater facility or a privately owned domestic wastewater facility that is under contract to a municipality.

Ecology:

The paragraph is corrected so the conveyance system owned by Clark Regional Wastewater District is not excluded from the POTW designation.

Don Young:

S3. Reporting and Recordkeeping Requirement

A. Reporting

Please add:

Pretreatment Coordinator
Clark Regional Wastewater District
8000 Northeast 52nd Court
P.O. Box 8979
Vancouver, WA 98668-8979

Ecology:

Permit Coordinator address is added to reporting requirements.

Don Young:

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the permit terms and conditions due to any cause, the Permittee shall:

2. Repeat sampling and analysis of any violation and submit the results to Ecology within 30 days after becoming aware of the violation;

2. Please add: Pretreatment Coordinator

Ecology:

Permit Coordinator is added as requested.

Don Young:

3. Immediately notify Ecology and the local sewage treatment plant manager of the failure to comply;

3. Please add: Pretreatment Coordinator

Ecology:

Permit Coordinator is added as requested.

Don Young:

4. Submit a detailed written report to Ecology within 30 days (five days for upsets and bypasses), unless requested earlier by Ecology. The report should describe the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information.

4. Please add: Copy report to Pretreatment Coordinator.

Ecology:

Permit Coordinator is added as requested.

Don Young:

As stated in this permit the Pretreatment Program and Clark Regional Wastewater District not being defined as part of the POTW may be construed as being excluded from the reporting requirements of the following:

F. Dangerous Waste Discharge Notification

The Permittee must notify the **Publicly Owned Treatment Works (POTW)** and Ecology in writing of the intent to discharge into the **POTW** any substance designated as a dangerous waste in accordance with the provisions of WAC 173-303-070. This notification must be made at least 90 days prior to the date that discharge is proposed to be initiated.

G. Spill Notification

The Permittee must notify the **POTW** immediately (as soon as discovered) of all discharges that could cause problems to the **POTW**, such as process spills and unauthorized discharges (including slug discharges).

Ecology:

Above paragraphs are rewritten so the Pretreatment Program and Clark Regional Wastewater District are not excluded from the above reporting requirements.

Don Young:

S4. OPERATION AND MAINTENANCE

The Permittee is at all times responsible for the proper operation and maintenance of any facilities or systems of control installed to achieve compliance with the terms and conditions of the permit.

B. Bypass Procedures
The Permittee must immediately notify Ecology and the **receiving POTW** of any spill, overflow, or bypass from any portion of the collection or treatment system.

The bypass of wastes from any portion of the treatment system is prohibited unless one of the following conditions (1, 2, or 3) applies:

1. Unavoidable Bypass—Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.
If the resulting bypass from any portion of the treatment system results in noncompliance with this permit the Permittee must notify Ecology and the **receiving POTW** in accordance with condition S3.E "Noncompliance Notification."

2. Anticipated Bypass That Has the Potential to Violate Permit Limits or Conditions—Bypass is authorized by an administrative order issued by Ecology. The Permittee must notify Ecology and the **POTW** at least 30 days before the planned date of bypass. The notice must contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. Ecology will consider the following prior to issuing an administrative order:

Pretreatment services for the POTW (Salmon Creek Wastewater Treatment Plant, Clark Regional Wastewater District conveyance system and as appropriate the City of Battle Ground conveyance system) are provided by Clark Regional Wastewater District a partially delegated pretreatment program. Without direct communication between the industry and Pretreatment Program appropriate local response to issues will be hampered. Please include the Pretreatment Program in the reporting requirements.

Ecology:

The Pretreatment Program is included in the reporting requirements.